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Message Text

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42
ORIGIN H-02

INFO OCT-01 ARA-06 ISO-00 SS-20 PM-03 NSC-05 CIAE-00

DODE-00 INR-05 NSAE-00 PA-01 RSC-01 USIA-06 PRS-01

SP-02 AID-05 IGA-01 L-01 OMB-01 TRSE-00 DPW-01 /062 R

DRAFTED BY H;WRICHARDSON/ARA/BC:AISAACS:JN
APPROVED BY H:MVICK
L - MR. GANTZ (DRAFT)
---------- 110397
P 121633Z OCT 74
FM SECSTATE WASHDC
TO AMEMBASSY SANTIAGO PRIORITY

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E.O. 11652:
TAGS: CI/SHUM
SUBJECT: CONGRESSIONAL ACTION ON CHILE

1. FINAL DISPOSITION OF CONTINUING APPROPRIATIONS RESOLUTION STILL UNDETERMINED. EXECUTIVE-LEGISLATIVE IMPASSE ON MILITARY ASSISTANCE TO TURKEY HAS PREVENTED FINAL CONGRESSIONAL PASSAGE OF THIS LEGISLATION. OUTCOME WHICH IS UNCERTAIN, BECAUSE OF PRESIDENTIAL VETO THREAT, EXPECTED WITHIN A WEEK. CONTINUING RESOLUTION CONTAINS NO RESTRICTIONS ON AID TO CHILE.

2. THE HOUSE FOREIGN AFFAIRS COMMITTEE IN ITS MARKUP OF THE AID BILL PASSED BY VOICE VOTE THE HARRINGTON AMENDMENT CONTAINING A PRESIDENTIAL HUMAN RIGHTS WAIVER WHICH WOULD ALLOW DOLS 800,000 MAP, DOLS 10 MILLION IN FMS CREDITS, AND NO RESTRICTIONS ON COMMERCIAL AND CASH SALES. ON MORNING OF AID MARKUP, CONGRESSMAN FASCELL INFORMED DEPARTMENT THAT HE WAS WITHDRAWING COMPROMISE AMENDMENT BECAUSE OF WASHINGTON POST ARTICLE OF OCTOBER 7 DISCUSSING F5 SALES TO GOC.
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3. REP. JOHN BUCHANAN (R-ALA) THEN OFFERED AMENDMENT IDENTICAL TO ORIGINAL FASCELL SUBSTITUTE BUT WAS DEFEATED 13-8. BUCHANAN THEREUPON OFFERED ANOTHER

AMENDMENT TO HARRINGTON VERSION CONTAINING PRESIDENTIAL HUMAN RIGHTS WAIVER OPTION PERMITTING DOLS 800,000 MAP, DOLS 10 MILLION CREDITS, AND NO RESTRICTIONS IN COMMERCIAL AND CASH SALES. BUCHANAN AMENDMENT, OBTAINING SUPPORT OF CONGRESSMAN FRASER, PASSED BY VOICE VOTE. THEREUPON HARRINGTON AMENDMENT WITH BUCHANAN SUBSTITUTE THEN CLEARED FOR FINAL VOICE VOTE PASSAGE. (TEXT FOLLOWS SEPTEL.) FINAL HOUSE VOTE ON FOREIGN AID LEGISLATION EXPECTED AFTER NOVEMBER ELECTIONS.

4. IN EARLIER MARKUP SESSION HOUSE FOREIGN AFFAIRS COMMITTEE ADOPTED FOLLOWING SENSE OF THE CONGRESS AMENDMENT OFFERED BY CONGRESSMAN FRASER:

"SEC. 502B. HUMAN RIGHTS -- (A) IT IS THE SENSE OF CONGRESS THAT EXCEPT IN EXTRAORDINARY CIRCUMSTANCES, THE PRESIDENT SHALL SUBSTANTIALLY REDUCE OR TERMINATE SECURITY ASSISTANCE TO ANY GOVERNMENT WHICH ENGAGES IN A CONSISTENT PATTERN OF GROSS VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS, INCLUDING TORTURE OR CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT; PROLONGED DETENTION WITHOUT CHARGES; OR OTHER FLAGRANT DENIALS OF THE RIGHT TO LIFE, LIBERTY AND THE SECURITY OF THE PERSON.

"(B) WHENEVER PROPOSING OR FURNISHING SECURITY ASSISTANCE TO ANY GOVERNMENT FALLING WITHIN THE PROVISIONS OF PARAGRAPH (A), THE PRESIDENT SHALL ADVISE THE CONGRESS OF THE EXTRAORDINARY CIRCUMSTANCES NECESSITATING THE ASSISTANCE.

"(C) IN DETERMINING WHETHER OR NOT A GOVERNMENT FALLS WITHIN THE PROVISIONS OF SUBSECTION (A), CONSIDERATION SHALL BE GIVEN TO THE EXTENT OF COOPERATION BY SUCH GOVERNMENT IN PERMITTING LIMITED OFFICIAL USE

AN UNIMPEDED INVESTIGATION OF ALLEGED VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS BY APPROPRIATE INTERNATIONAL ORGANIZATIONS, INCLUDING THE INTERNATIONAL COMMITTEE FOR THE RED CROSS AND ANY BODY ACTING UNDER THE AUTHORITY OF THE UNITED STATES OR OF THE ORGANIZATION OF AMERICAN STATES.

"(D) FOR PURPOSES OF THIS SECTION, 'SECURITY

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ASSISTANCE' MEANS ASSISTANCE UNDER CHAPTER 2
(MILITARY ASSISTANCE) OR CHAPTER 4 (SECURITY

SUPPORTING ASSISTANCE) OF THIS PART, ASSISTANCE UNDER
PART V (INDOCHINA POSTWAR RECONSTRUCTION) OR PART VI
(MIDDLE EAST PEACE) OF THIS ACT, SALES UNDER THE
FOREIGN MILITARY SALES ACT, OR ASSISTANCE FOR PUBLIC
SAFETY UNDER THIS OR ANY OTHER ACT." INGERSOLL

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